IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

SECOND APPEAL NO. 60 OF 1998

Sayara w/o Mohd. Yunus
(S.D.L.H.) ...Appellants

Versus

Mohd. Yasin Mohd. Umar & Ors. ...Respondents

.....

Mr. S.M. Gorwadkar, Advocate for the Appellants

Mr. Saeed Akhtar, Advocate for the Respondents.

.....

CORAM: A.S. OKA, J.

DATED: 12TH JANUARY, 2005

P.C.:-

1. Shri. Gorwadkar, the learned advocate appearing for the Appellants states that the Regular Civil Suit No.97/96 filed by Smt. Shariffa Nihal Ahmed is pending in the Court of C.J.J.D. Malegaon. He stated that the controversy involved in the present appeal is also involved in the said Suit. In view of the pendency of the said Suit, he seeks permission to withdraw the present Second Appeal.

2. Accordingly, Second Appeal is dismissed as withdrawn with no order as to costs.

3. Certified copy is expedited.